UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA and STATE OF INDIANA *ex rel*. JUDITH ROBINSON, Plaintiffs/Relator, v. INDIANA UNIVERSITY HEALTH, INC. f/k/a CLARIAN HEALTH PARTNERS, INC., and HEALTHNET, INC., Defendants.	)	Case No. 1:13-cv-2009-TWP-MJD

UNITED STATES', RELATOR'S, AND DEFENDANTS' JOINT MOTION TO DISMISS THIS ACTION

The United States, Relator Judith Robinson, Defendant Indiana University Health, Inc. ("IU Health"), and Defendant HealthNet, Inc. ("HealthNet") (collectively "the Parties") seek dismissal of this action pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, and in accordance with the terms of the settlement agreement dated as of April 27, 2017, that has been reached among the United States, Relator, IU Health, HealthNet, and the State of Indiana. The Parties understand that the State of Indiana will separately provide written consent to the dismissal of this action.

In accordance with the settlement agreement, the Parties seek dismissal of this action:

1) with prejudice to the Relator, except as to Relator's claims for the period from 2011-2015 that HealthNet violated the False Claims Act, 31 U.S.C. § 3729 *et seq.*, the Indiana False Claims and Whistleblower Protection Act, Ind. Code § 5-11-5.5-1 *et seq.*, and the Indiana Medicaid False Claims and Whistleblower Protection Act, Ind. Code § 5-11-5.7-1 *et seq.*, by submitting false claims for certain supplemental

payments made by the Medicaid program to Federally Qualified Health Centers, known as "wrap-around" payments (the "HealthNet Wrap-Around Claims");

2) without prejudice to Relator as to the HealthNet Wrap-Around Claims for the period 2011-2015;

3) with prejudice to the United States as to all allegations in Relator's Second Amended Complaint, except for the HealthNet Wrap-Around Claims for the period 2011-2015;

4) without prejudice to the United States as to the HealthNet Wrap-Around Claims for the period 2011-2015;

5) with prejudice to the State of Indiana as to all allegations in Relator's Second Amended Complaint, except for the HealthNet Wrap-Around Claims for the period 2011-2015; and

6) without prejudice to the State of Indiana as to the HealthNet Wrap-Around Claims for the period 2011-2015.

Pursuant to the settlement agreement, the Parties request that dismissal of this action be subject to the terms of the settlement agreement, and that the Court retain jurisdiction for purposes of resolving any dispute arising under the settlement agreement. A proposed order accompanies this motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically on this 3rd day of May, 2017, and is available to all parties of record through the Court's electronic filing system.

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